

Appendix 5

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

Hans J. HANSEN et al.

Serial No. 09/253,794

Filed: February 22, 1999

For: CDR GRAFTED TYPE III ANTI-CEA HUMANIZED  
MOUSE MONOCLONAL ANTIBODIES

Atty. Docket No: 018733/0852

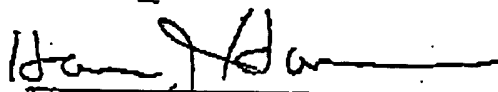
Group Art Unit: 1644

Examiner: D. Saunders

DECLARATION UNDER 37 C.F.R. §1.132

I, Hans J. Hansen, declare that:

1. I am a co-inventor of the above-captioned application. I have held the position of Vice President, Research & Development at Immunomedics, Inc., Morris Plains, New Jersey, from 1992 to the present.
2. On and prior to October 5, 1994, the filing date of the parent application, U.S. Serial No. 08/38,157, now U.S. Patent No. 5,874,540, of the above-captioned application, the hybridoma that produces the Class III, anti-CEA murine monoclonal antibody, MN-14, was a proprietary cell line owned and possessed by Immunomedics, Inc. Thus, the DNA encoding MN-14 was not available to the public prior to the priority date of the above-captioned application.
3. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

19 May 2001  
Date  
Hans J. Hansen